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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

LACY KING, ET AL.

CIVIL ACTION NO. 07-0625

VERSUS

JUDGE ROBERT G. JAMES

DR. DONALD PERRY, ET AL.

MAG. JUDGE KAREN L. HAYES

RULING


On June 12, 2009, Defendants Louisiana Patients Compensation Fund Oversight Board and The Louisiana Patients Compensation Fund (collectively referred to as "the Fund") filed a Motion for Summary Judgment [Doc. No. 87] on Plaintiffs Lacy King, Teresa Bell, Ricky Diggs, Stephanie Diggs, Melinda Diggs Harris, Melissa Diggs, and Tomekia Diggs' (collectively referred to as "Plaintiffs") medical malpractice claims.

On July 17, 2009, the Court granted in part and denied in part the Motion for Summary Judgment. *See* [Doc. Nos. 101 & 102]. The Court also gave notice of its intent to *sua sponte* grant summary judgment in favor of the Fund with respect to Madison Parish Hospital's actions and Dr. Donald Perry's January 3, 2001 actions. The Court further ordered Plaintiffs to file a memorandum in opposition if they opposed summary judgment by July 31, 2009.

Plaintiffs have not filed a memorandum in opposition within the allotted period of time.

The Court *sua sponte* GRANTS summary judgment in favor of the Fund with respect to Madison Parish Hospital's actions and Dr. Donald Perry's January 3, 2001 actions. This grant of summary judgment is without prejudice to the right of Plaintiffs to pursue the claims based on Dr. Donald Perry's January 3, 2001 actions against the United States of America.

MONROE, LOUISIANA, this 3 day of August, 2009.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE